

HCP(MD)No.355 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 30.04.2026

CORAM

**THE HON'BLE MR JUSTICE N. ANAND VENKATESH
AND
THE HON'BLE MR JUSTICE K.K.RAMAKRISHNAN**

H.C.P.(MD)No.355 of 2026

E. Murugammal

... Petitioner

Vs

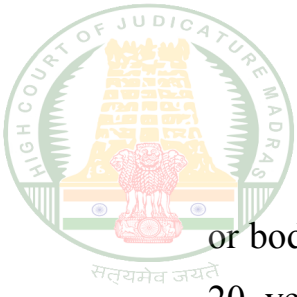
1. The State of Tamilnadu, Rep.,
By the Additional Chief Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat,
Chennai-600 009..

2. The District Collector and District Magistrate,
Tirunelveli,
Tirunelveli District..

3. The Superintendent of Prison,
Tirunelveli District, Central Prison,
Palayamkottai,
Tirunelveli District..

... Respondents

PRAYER :-Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus call for the records detention order passed in M.H.S.Confdl No.152/2025 dt. 21.11.2025 on the file of the 2nd respondent herein and quash the same and direct the respondents to produce the detenu



HCP(MD)No.355 of 2026

or body of the detenu namely the petitioners son i.e., Sivasankar, aged about 20 years S/o.Enaraj, now detained at the Central Prison, Palayamkottai before this court and set him at liberty.

For Petitioner : M/s.N.Pragalathan

For Respondents : Mr.A.Thiruvadikumar
Additional Public Prosecutor

ORDER

(Order of the Court was made by N. ANAND VENKATESH, J.)

The petitioner is the mother of the detenu viz.,Sivasankar S/o.Enaraj aged about 20 years. The detenu has been detained by the second respondent by his order in M.H.S.Confdl No.152/2025 dt. 21.11.2025 holding him to be a "Goonda", as contemplated under Section 2(f) of Tamil Nadu Act 14 of 1982. The said order is under challenge in this Habeas Corpus Petition.

2. We have heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.



HCP(MD)No.355 of 2026

3. Apart from the other grounds that were raised by the learned counsel for the petitioner, one of the main ground that was raised is that the detaining authority has relied upon a document which shows that a history sheet has been opened for the detenu. However, this document has not been translated and therefore, the detenu was not in a position to make an effective representation.

4. We have carefully gone through the paper book and more particularly, Page No.81. It is a communication from the Inspector of Police to the Deputy Superintendent of Police, to pass orders to open a history sheet for the detenu. This document pertains to the ground case and this document has been relied upon by the detaining authority. This document has not been translated and hence, it deprives the detenu from making an effective representation. Consequently the detention order stands vitiated. Accordingly, the detention order is liable to be quashed.

5.. In the result, the Habeas Corpus Petition is allowed and the order of detention in M.H.S.Confdl No.152/2025 dt. 21.11.2025 passed by the second respondent is set aside. The detenu, viz., Sivasankar S/o.Enaraj aged



HCP(MD)No.355 of 2026

about 20 years, is directed to be released forthwith unless his detention is required in connection with any other case.

(N.A.V.,J.) (K.K.R.K,J.)
30.04.2026

Index : Yes/No
Internet : Yes/No

RR

To

1. The Additional Chief Secretary to Government,
Home, Prohibition and Excise Department,
Secretariat,
Chennai-600 009..

2. The District Collector and District Magistrate,
Tirunelveli,
Tirunelveli District..

3. The Superintendent of Prison,
Tirunelveli District, Central Prison,
Palayamkottai,
Tirunelveli District..

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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RR

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